

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
EDGAR MONTOYA-HEREDIA,  
  
Defendant.

Case No. 13cr4036-JM  
  
AMENDED ORDER OF  
CRIMINAL FORFEITURE

On March 27, 2014, this Court entered its Preliminary Order of Criminal Forfeiture, which condemned and forfeited to the United States all right, title and interest of EDGAR MONTOYA-HEREDIA in the properties listed in the Forfeiture Allegation of the Indictment, namely,

**(1) \$322,860.00 in U.S. Currency; and**

**(2) One 1999 Ford Ranger Pickup, Baja California, Mexico License Plate No. AN71782, VIN 1FTYR14X7XPB40215.**

For thirty (30) consecutive days ending on April 27, 2014, the United States published on the Government's forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of the Court's Order and the United States' intent to

//

1 dispose of the properties in such manner as the Attorney  
2 General may direct, pursuant to 21 U.S.C. § 853(n) and  
3 Rule G(4) of the Supplemental Rules for Admiralty or  
4 Maritime Claims and Asset Forfeiture Actions, and further  
5 notifying all third parties of their right to petition the  
6 Court within thirty (30) days of the final publication for  
7 a hearing to adjudicate the validity of their alleged legal  
8 interest in the properties.

9 There were no potential third parties known to the  
10 United States to have alleged an interest in the forfeited  
11 properties; therefore, no one was provided with direct  
12 notice of the forfeiture.

13 Thirty (30) days have passed following the final date  
14 of notice by publication, and no third party has made a  
15 claim to or declared any interest in the forfeited  
16 properties described above.

17 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
18 that, as a result of the failure of any third party to come  
19 forward or file a petition for relief from forfeiture as  
20 provided by law, all right, title and interest of EDGAR  
21 MONTROYA-HEREDIA and any and all third parties in the  
22 following properties are hereby condemned, forfeited and  
23 vested in the United States of America:

24 **(1) \$322,860.00 in U.S. Currency; and**


25 **(2) One 1999 Ford Ranger Pickup, Baja California,**  
26 **Mexico License Plate No. AN71782,**  
**VIN 1FTYR14X7XPB40215.**

27 IT IS FURTHER ORDERED that costs incurred by the  
28 Customs and Border Protection ("CBP") and any other

1 governmental agencies which were incident to the seizure,  
2 custody and storage of the properties, be the first charge  
3 against the forfeited properties.

4 IT IS FURTHER ORDERED that CBP shall dispose of the  
5 forfeited properties according to law.

6 DATED: July 9, 2014

7   
8 Hon. JEFFREY T. MILLER  
United States District Judge